



Kindness and Care for Animals®

June 3, 2014

Cambridge City Council  
City of Cambridge  
795 Massachusetts Avenue  
Cambridge MA 02139

Dear members,

The MSPCA strongly supports passage of Ordinance 6.18, which would prohibit the use of wild and exotic animals in traveling shows and circuses in Cambridge. Traveling shows featuring wild animal acts not only cause immense suffering to wild animals like elephants and tigers, but also present a false image of the animals they display. Inhumane training methods, such as severe restraint and striking with a bullhook (for elephants), are routine. Traveling shows and circuses are inherently inappropriate for wild animals - basic physical needs often go unmet and the animals are denied the chance to fulfill their normal behavioral and social needs.

Circuses operating in Massachusetts have been levied heavy fines for violation of the Animal Welfare Act (AWA), which only provides an absolute minimum of standard of care for animals in traveling circuses. Please find attached to this testimony a report detailing some of these violations and penalties assessed by the US Department of Agriculture, the federal agency charged with administering the AWA.

But even in the best of circumstances, wild animals in circuses are forced to act in ways wholly inconsistent with their natural behaviors and physical capabilities, in actions that may actually cause them harm. These performances not only cause stress and may result in injury to the animals; but they also create a false impression of both the nature of the animals and their relationship with people.

Cities and towns across the Commonwealth – and across the country – are recognizing not only how utterly inappropriate circus life is for wild and exotic animals, but also the risk that near-constant confinement of wild animals can pose to their citizens. Most recently, in April 2014, Plymouth became the seventh city or town in the Commonwealth to prohibit wild or exotic animals in circuses or traveling shows.

Thank you for your consideration of Ordinance 6.18. Please feel free to contact me if I may be of assistance or provide you with any further information.

Sincerely,

Laura Hagen  
Deputy Director of Advocacy  
617-541-5104; Lhagen@mspca.org

Lopez, Donna

ATTACHMENT B

**From:** Sarah Stewart [sarahbstewart@yahoo.com]  
**Sent:** Monday, June 02, 2014 6:31 PM  
**To:** Lopez, Donna; City Council  
**Subject:** In Favor of Prohibiting the Presence in Cambridge of Traveling Shows and Circuses that Use Wild and Exotic Animals

Dear Members of the Cambridge City Council and City Clerk Donna Lopez,

I am writing to have my comments included as part of the public hearing to discuss creating a new Chapter in the Cambridge Municipal Ordinance prohibiting the use of wild and exotic animals in traveling shows and circuses.

I am out of town for work this week or I would attend the hearing in person.

This hearing is to be conducted on Wednesday June 4th at City Hall in the Sullivan Chamber.

My comment is as follows:

I am very much in favor of prohibiting the use of wild and exotic animals in traveling shows and circuses in Cambridge. "Training" a wild animal to do "tricks" involves hurting and fear of hurt for that animal and is not a way that humans should be treating wild animals. Circuses with "trained" wild animals are not where people learn to respect animals. They learn to see animals controlled and do not see them as they should be - being animals in their animal habitat. Traveling shows featuring wild animal acts not only cause immense suffering to wild animals like elephants and tigers, but also present a false image of the animals they display and wild animals in circuses are forced to act in ways wholly inconsistent with their natural behaviors and physical capabilities, in actions that may actually cause them harm. These performances not only cause stress and may result in injury to the animals; but they also create a false impression of both the nature of the animals and their relationship with people.

I would love for Cambridge to be one of a number of cities in MA who have taken a stand against the abuse of wild animals and them being presented to the public in such twisted ways. Other Massachusetts cities and towns have taken action to protect wild animals from these practices: Quincy, Revere, Braintree, Weymouth, Somerville, Provincetown, and most recently Plymouth, have already passed similar ordinances prohibiting wild animal acts within their borders.

Probably the main reasons raised to prevent a ban on circuses and shows that use wild animals will be economic. I know that good changes happens often with short term economic loss. The economic loss and "maintaining status quo" reasons for continuing to do something that we have been doing are not good arguments to stop a change when change may be for very good reasons. Sometimes the time may have come to rethink a whole proposition. Luckily humans can evolve and become increasingly conscious and humane towards each other and other animals. At some point we were having these discussions about burning witches and bear baiting.

I hope that we can move out of the past and accept a small short term possible economic strain, and move to take a stand for the humane treatment and true presentation of wild animals and move to **create a new Chapter in the Cambridge Municipal Ordinance prohibiting the use of wild and exotic animals in traveling shows and circuses.**

That would be the enlightened and truly kind thing to do.

Thank you for your thoughtful consideration of my comments and I wish that I could fly back and be at this hearing in person.  
Sincerely,

Sarah Stewart, 207 Appleton Street, Cambridge, MA 02138 (also a small business owner in Cambridge at 263 Concord Ave.)  
617-876-6735

Lopez, Donna

ATTACHMENT C

**From:** ~~TYSON JOHN~~ [tysontsuru@aol.com]  
**Sent:** Tuesday, June 03, 2014 4:04 PM  
**To:** Lopez, Donna  
**Subject:** Ordinance Committee meeting

I am a long time Cambridge resident and would like to attend the Ordinance Committee meeting this Wednesday regarding creating a new Chapter in the Cambridge Municipal Ordinance Prohibiting the Use of Wild and Exotic Animals in Traveling Shows and Circuses.

Unfortunately I have recently injured myself and will be unable to attend.

In lieu of my being able to attend, may I please add to the record my comments and fervent support of this ordinance?

In addition to my musical career (internationally touring performer and faculty of the New England Conservatory of Music) I work actively with several animal rights organizations. Even for someone who grew up thinking that animal acts in circuses were fun, it took only one video of the reality of how horribly we often treat our fellow creatures to make me understand how utterly thoughtless I had been. Of course for wild animals to perform as toys for our entertainment they must be enslaved, subjugated and abused. We are better than this! We are animals ourselves and we know that our our fellow creatures, like us, love their families, feel pain and desire to live free.

The air of Cambridge is too pure for any slave to breathe. Please add your voices of compassion and pass this ordinance!

Thank you very much.

Yours very sincerely,  
John Tyson  
310 1/2 Pearl Street  
Cambridge, Massachusetts 02139  
617 460 4653

ATTACHMENT D

**From:** Hagen, Laura [<mailto:LHagen@mspca.org>]  
**Sent:** Wednesday, June 11, 2014 4:27 PM  
**To:** City Council  
**Subject:** Ordinance 6.18 hearing follow up

Dear Members of the Cambridge City Council-

Thank you again for hearing my testimony last week in support of Ordinance 6.18, that would prohibit the use of wild and exotic animals in traveling shows in circuses. I have attached a few documents for your review:

- 1) An electronic copy my written testimony (*ATTACHMENT A*)
- 2) A document, referenced in the written testimony, detailing USDA violations and abuse of circus animals by circuses performing in the Commonwealth
- 3) To assist with your review of the language of other Massachusetts wild/exotic animal circus/traveling show bans and their penalties, I have attached a document that excerpts the language of the provisions and penalties where specified.

Finally, I realized after our meeting that I may have misspoke and wanted to correct the error. I indicated that Plymouth had recently passed a ban on wild animals in circuses after having failed to pass one a number of years ago and I may have incorrectly stated that Cambridge had also previously considered this type of a ban – which, to my knowledge, they have not.

Thank you again for your time and please let me know if I can answer any additional questions for you.

Best,  
Laura

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Laura Hagen  
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617-541-5104 617-989-1654 (fax)

Check out our new Myspca campaign: [www.mspca.org/myspca](http://www.mspca.org/myspca)  
[www.mspca.org](http://www.mspca.org)  
[www.fb.com/mspcaanimalactionteam](https://www.facebook.com/mspcaanimalactionteam)  
[www.twitter.com/MSPCAAngell](https://twitter.com/MSPCAAngell)

*The MSPCA's mission is to protect animals, relieve their suffering, advance their health and welfare, prevent cruelty, and work for a just and compassionate society*

May 30, 2014

**Question:** Does abuse of wild animals in circuses occur at exhibitions performing in the Commonwealth?

**Short Answer:** Yes. Circuses regularly performing in Massachusetts have been cited and fined by the United States Department of Agriculture (USDA) for violations of the federal Animal Welfare Act (AWA), which sets out minimal standards of care for wild animals used for exhibition. Violations have occurred in Massachusetts and in neighboring states of New York and Connecticut, as well as in myriad other states around the country. Below is a summary of recent violations or admissions of violations at circuses that have recently performed in Massachusetts.

The bottom line: abuse of wild animals in circuses and exhibitors' routine failure to meet standards does not stop simply because the exhibitors cross a state line into Massachusetts – abuse occurring next door to, or anywhere outside of the Commonwealth, will also occur here.

#### **A. Cole Bros. Circus and Carson & Barnes Circus**

Recent performances in the Commonwealth: 2014, 2013, 2013, 2011

*Cole Bros. Circus declined renewal of its federal exhibitor's license in 2008 after the USDA filed formal charges of federal Animal Welfare Act violations against them for abuse of elephants with bull hooks, and after repeated citations by the USDA for failure to provide appropriate care. Therefore, Cole Bros. is not currently subject to citations in its own name. However, Cole Bros. still performs by contracting with other exhibitors and leasing animals for its shows. Those exhibitors, including Carson & Barnes Circus ("Carson & Barnes") have been cited for violating the Animal Welfare Act.*

*It is of note that since 2011, Cole Bros. Circus has been ordered to pay over \$160,000 in fines to settle violations of the federal Animal Welfare Act. As recently as 2012, Carson & Barnes paid a penalty to settle numerous violations of the federal Animal Welfare Act—including violations relating to failure to keep wild animals adequately separated from the public, and failure to have large wild animals under the direct control and supervision of knowledgeable and experienced animal handlers.*

*Carson & Barnes' (operating as Cole Bros.) abuse of an elephant with a bull hook was videotaped by a spectator in Lanesboro, Massachusetts in 2011. Two weeks later, Carson & Barnes (operating as Cole Bros.) was cited by the USDA in Connecticut for use of excessive force with a bull hook.*

- In June 2011 a man and his son stopped near a parking lot where Cole Bros. was set up in **Lanesboro, Massachusetts**, and videotaped the elephants, just for fun. They witnessed a handler yelling at the elephants before striking one of them with "something that looked like a club," producing a clearly audible "whack" sound. The same handler then took a step back and swung the device as if it were a baseball bat, striking the elephant two more times. "this was not an 'attention getter,'" the father explained. "This worker reared back and swung the club with all his might, twice. You could hear the 'whack' as his club struck the elephant." Video footage is available here:  
<http://www.youtube.com/watch?v=jln82TqSP2M>
- Following, and in response to the Lanesboro incident, the USDA inspected Carson & Barnes at a show in **Meriden, CT**. The USDA cited Carson & Barnes, performing as Cole Bros. Circus for direct noncompliance with the federal Animal Welfare Act when a female handler was observed using excessive force with the

bull hook against an elephant on several occasions. The USDA inspector noted that a female employee, who performs in the show and had virtually no elephant handling experience.

- In October 2011, the USDA cited Carson & Barnes with a direct violation of the AWA for failure to have an experienced animal handler in direct control of a dangerous animal during public exhibition. The inspector noted that the handler's actions allowed "for the risk of serious injury to members of the public."
- In June 2011, the USDA cited Carson & Barnes (performing as Cole Bros.) with a direct noncompliance of the AWA after an inspector observed a handler talking on his phone and walking away from an elephant while one adult and six children sat on the elephant's back during a ride. The circus was also cited for direct noncompliance after a female handler was observed using excessive force with a bullhook against an elephant on several occasions.
- In April 2010 an elephant (leased from Carson & Barnes to perform with Cole Bros.) escaped in Lynchburg, VA. She ran directly past a line of people waiting to buy tickets, sending some running toward the parking lot. The elephant injured her shoulder and broke a toenail when she slid in the mud and fell into a steep ravine. She was on the loose for approximately 30 minutes before being recaptured.
- In June 2005 a U.S. District Court judge who viewed videotape of Carson & Barnes' animal care director Tim Frisco beating elephants with bull hooks and shocking them with electric prods, described it as "troubling," and noted that it depicts conduct violating the Animal Welfare Act.

#### **B. Piccadilly Circus:**

Recent performances in the Commonwealth: multiple cities in 2014 (scheduled), 2013, 2012, 2011

*Piccadilly Circus does not possess its own USDA exhibitor license. Therefore, Piccadilly is not subject to citations in its own name. However, Piccadilly contracts with exhibitors and leases animals for its shows. Those exhibitors have been cited for violating the Animal Welfare Act, including excessive use of the bull hook and failing to provide adequate veterinary care.*

*While the abuse detailed below did not occur in the Commonwealth, it is reasonable to conclude that these practices do not stop when the circus hits the Commonwealth's borders, but rather that they continue while Piccadilly Circus is in our state.*

- In December 2013, the general manager of Piccadilly Circus, USDA licensee Zachary Garden was observed punching an elephant and beating an elephant with a shovel at a performance. The eyewitness circus worker described that Garden punched an elephant twice on his or her side, and then beat the same elephant with a shovel after an evening show. The witness reported that Garden hit the elephant with the shovel at least three times with such force that the elephant screamed with each blow.
- In October 2012, the USDA cited the Franzen Bros., which was traveling with Piccadilly in Florida as its elephant exhibitor, for striking an elephant forcefully with a bull hook at least five times about the eyes and ears to "teach" her not to take another elephant's hay.
- In August 2012 Fort Wayne, Indiana Animal Care & Control took a complaint from a witness who observed an elephant being repeatedly beaten with a baton. Animal Care & Control confirmed this during interviews with Brian Franzen, the circus manager, and the elephant handler - with each admitting that the incident took place. During an interview, Brian Franzen stated that the elephant had an "attitude," had put a hole in the trailer, and was chained on a "time out" after she stole food from another elephant. According to Animal Care & Control, the elephant handler was unable to control the elephant, so he struck her with a bull hook on her face and trunk. According to the witness, the beating took place after the elephant lunged at the handler.

### C. Feld Entertainment, parent company of Ringling Brothers & Barnum and Bailey Circus

Recent Performances in the Commonwealth: 2013, 2012, 2011

*The below statements, taken under oath, demonstrate a pattern of institutional use of the bull hook by Ringling to strike and hit elephants to a degree that causes puncture wounds, "hook boils" – infections caused by bull hook wounds, and sometimes bleeding.*

*Ringling performs annually in multiple Massachusetts locations. As the below practices are routinely used by Ringling as part of their traveling show, and have been demonstrated to occur in a number of states, including our neighbor state of New York, it is reasonable to conclude that these practices do not stop when the circus hits the Commonwealth's borders, but rather that they continue while Ringling is in our state.*

- Kenneth Feld, CEO and President of Feld Entertainment Inc. admitted under oath that he has seen "all" of his elephant handlers strike and hit elephants using both ends of a bull hook.<sup>i</sup>
- Ringling Bros. elephant trainer Robert Ridley – who still works for the company – has handled elephants for the circus for over 40 years and testified that 3-4 times monthly he sees "puncture wounds" on Ringling Bros. elephants caused by bull hooks and sees "hook boils" – infections caused by bull hook wounds – on average twice weekly.<sup>ii</sup>
- Ringling Bros. elephant trainer Gary Jacobson (who was responsible for training all of Ringling's baby elephants) testified that he uses the bull hook to "hit" the babies to make them do as he wishes.<sup>iii</sup>
- An internal Ringling Bros. memorandum from its animal behaviorist recounted that an elephant was "dripping blood all over the arena floor" after being struck with a bull hook several times during a show.<sup>iv</sup>
- In an internal email, a Ringling Bros. veterinary assistant reported seeing multiple visible abrasions and lacerations on elephants from hooks after their morning baths. The lacerations were so apparent that two members of the public at an open house asked the vet assistant where they were from.<sup>v</sup>
- In 2013, an event manager for a circus venue in New York provided a sworn affidavit detailing violent abuse with a bull hook backstage at the Ringling Bros. Circus. Specifically, she  
"saw a Ringling handler repeatedly hitting the first elephant in line on her legs and shoulders with a long rod with a metal hook at the end. The handler proceeded to put the metal hook inside the elephant's mouth and yank her repeatedly with full force. As she was being beaten, the elephant made grunting and wailing noises and other noises that sounded as if she was in distress. As the rod and hook made contact with her body, the blows made audible 'whack' noises....The handler alternated hitting the elephant with the sharp metal hook on her shoulder and hooking and yanking her inside her mouth for several minutes before the elephant finally submitted and proceeded to walk forward with the rest of the group."

The employee was so upset by what she saw, she refused to work the six remaining Ringling shows in New York, forfeiting her wages for the week.<sup>vi</sup>

- In a sworn affidavit in 2012, a Colorado Springs, a security guard reported bull hook abuse of a chained elephant during Ringling's stint there. The security guard witnessed a young animal attendant – who had previously disclosed to the witness that he had no training in animal handling  
"strike an elephant on her rear leg at least six times with such force and viciousness that each blow to her leg made loud 'whacks' in an apparent effort to get her to move so he could scoop up manure...He hit the elephant full force without warning, while her back was turned to him, and while she was restrained by chains. She immediately moved, and appeared startled and fearful, but the attendant continued to hit the elephant with the long rod even after she moved."

The security guard went on to testify that “The ease with which he hit the elephant so excessively and violently gave the impression that it was not the first time he hit an elephant in this manner.” The instrument used to strike the elephant appeared to be a bull hook and the Ringling attendant was the only person on duty all night long.<sup>vii</sup>

*It is of note that Feld Entertainment was ordered to pay \$270,000 by the USDA – the largest civil penalty ever assessed against an exhibitor under the Animal Welfare Act for dozens of violations dating from June 2007 to August 2011<sup>viii</sup>.*

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<sup>i</sup> Kenneth Feld, CEO of Feld Entertainment, parent company that owns Ringling Brothers., Trial Tr. 43:9-43:16, March 3, 2009 pm.

<sup>ii</sup> Robert Ridley deposition at line 55, page 55 also recited Kenneth Feld, CEO of Feld Entertainment, parent company that owns Ringling Brothers, Trial Tr. 50:16-51:2, March 3, 2009 pm.

<sup>iii</sup> Gary Jacobson, manager of general manager for Ringling Bros. Center for Elephant Conservation, Trial Tr. 43:13-44:14 March 9, 2009

<sup>iv</sup> <http://c206728.r28.cf1.rackcdn.com/Plaintiffs-Will-Call-Exhibit-9.pdf>

<sup>v</sup> <http://c206728.r28.cf1.rackcdn.com/Plaintiffs-Will-Call-Exhibit-11.pdf>

<sup>vi</sup> Affidavit of Michelle Comodo, State of New York, March 20 2013; copy available upon request

<sup>vii</sup> Affidavit of Darren J. Sparks, State of Colorado, March 14, 2012; copy available upon request.

<sup>viii</sup> <http://usda.gov/wps/portal/usda/usdamediafb?contentid=2011/11/0494.xml&printable=true&contentidonly=true>

### **Braintree, MA**

6.04.190: No living nondomesticated animals shall be displayed for public entertainment or amusement in circuses, carnivals or similar entities on property by the Town of Braintree, or Town-owned property under lease, or on private property. As used in this paragraph, "displayed" shall include, but is not limited to, animal acts and performances, and competition. (ATM 5-16-2001 Art. 62)

#### **Penalty:**

The Braintree prohibition is located in the "Dogs and Other Animals" section of the bylaws. The penalty for violation, associated broadly with the entire section is non-criminal: \$5.00 for the first offense; \$25 for the second; \$35 for the third; \$50 for fourth and subsequent offenses. (1.08.020)

### **Revere, MA**

6.04.031 Nondomesticated animals displayed for public entertainment or amusement.

A. No living animals shall be displayed for public entertainment or amusement on property owned by the city of Revere on city-owned property under lease, or on private property, excluding competitive arena sports and exhibits deemed educational by the Massachusetts Society for the Prevention of Cruelty to Animals.

B. No captive animal shall be forced to live out of its natural environment, separated from its own species and displayed to the public

#### **Penalty:**

6.04.100: Penalties for violation of this chapter, except as provided in Section 6.04.110, are as follows:

A. First offense, twenty-five-dollar fine;

B. Second offense, fifty-dollar fine;

C. Third and subsequent offenses, fifty-dollar fine.

### **Quincy, MA**

*(The City of Quincy is updating its ordinances and these citations are not currently listed on their website, but remain part of the city code)*

6:04:10 (1994): No living non-domesticated animals shall be displayed for public entertainment or amusement in circuses, carnivals, or other similar entities on property owned by the City of Quincy, on City-owned property under lease, or on private property. As used in this paragraph, "displayed" shall include, but is not limited to, animal acts and performances, animal rides and competitive animal races.

6:04:40 (1994): This ordinance shall not apply to domestic animals including, but not limited to, dogs, cats, horses and farm animals except that no domestic animal shall be used in competitive animal races.

6:04:50 (1994): This ordinance shall not apply to exhibits deemed educational by the Massachusetts Society for the Prevention of Cruelty to Animals.

### **Somerville, MA**

Sec. 3-39. Display of non-domesticated animals.

(a) No living non-domesticated animals shall be displayed for public entertainment or amusement in circuses, carnivals or other similar entities on property owned by the City of Somerville, on city-owned

property under lease, or on private property. As used in this paragraph, "displayed" shall include, but is not limited to, animal acts and performances, animal rides and competitive animal races.

(b) This article shall not apply to domestic animals including, but not limited to, dogs, cats, horses, donkeys and farm animals, except that no domestic animal shall be used in competitive animal races.

(c) This article shall not apply to exhibits deemed educational by the Massachusetts Society for the Prevention of Cruelty to Animals.

(d) Violations of this article are subject to penalties in accordance with section 1-11(b) of the Code of Ordinances. Each consecutive day that a violation exists shall be considered a separate offense.

Penalty:

Sec. 1-11. Penalties and violations.

(b) Whoever violates any provision of this Code or any ordinance of the city, the violation of which is subject to a specific penalty, may also be penalized by a noncriminal disposition as provided in the General Laws, Chapter 40, Section 21D. The noncriminal method of disposition may also be used for violations of any rule or regulation of any municipal officer, board or department which is subject to a specific penalty.

## **Weymouth, MA**

### **SECTION 6-702 Displaying Non-domesticated Animals for Entertainment**

(a) No Living non-domesticated animals shall be displayed for public entertainment or amusement in circuses, carnivals or other similar entities on property owned by the Town of Weymouth, on Town-owned property under lease, or on private property. As used in this paragraph, "displayed" shall include, but is not limited to, animal acts or performances, animal rides and competitive animal races.

(b) This Ordinance shall not apply to domestic animals including, but not limited to, dogs, cats, horses and farm animals.

(c) This Ordinance shall not apply to exhibits deemed educational by the Massachusetts Society for the Prevention of Cruelty to Animals.

(d) Definitions:

*Animals* - Any mammal, bird, reptile, amphibian, or fish with the exception of human beings.

*Domesticated Animal* - Any animal occurring naturally or historically in the United States, that through long association with humans, has been bred to a degree which has resulted in genetic changes affecting the temperament, color, conformation or other attributes of the species to the extent that makes it unique and different from wild animals of its kind. (aka not domesticated)

*Wild Animal* - Any animal occurring naturally and traditionally within the United States that is not domesticated.

*Exotic Animal* - Any animal not occurring naturally or historically in the United States. The phrase includes, but is not limited to, all manner of lions, tigers, leopards, jaguars, cheetahs, elephants, zebras, camels, giraffes, reptiles and any crossbreed of these animals other than fish or insects.

*Education* - Non-profit groups, institutions or individuals who engage in teaching and instructing with intent and the effect of imparting knowledge to others through oral presentations and/or written hand-outs (whose sole purpose is to teach without entertainment), or entity deemed educational by the MSPCA, the New England Wildlife Center, other reputable animal humane/welfare organizations or accredited by AZA.

*Entertainment* - Any organization which replicates the traditional wild animal circus in which wild animals are required to perform tricks or participate as accompaniments in performances for the amusement of an audience.

Penalty:

**SECTION 1-109 Violations and Penalty - Municipal Infractions**

(a) Any Ordinance of the Town of Weymouth or any rule or regulation of its officers, boards or departments, the violation of which is subject to a specific penalty, may, in the discretion of the Town Official who is the appropriate enforcing person, be enforced in the method provided in MGL C. 40, s. 21D. The noncriminal fine for each such violation, if not otherwise specified, shall be fifty dollars (\$50).

...

(c) Unless otherwise provided, each day a violation continues shall constitute a separate and repeat violation once notice of the violation has been given.

**SECTION 1-110 Violations and Penalty - Criminal Complaint**

Any Ordinance of the Town of Weymouth or any Rule or Regulation of its Officers, Boards or Departments may, in accordance with the provisions of MGL C. 40, s. 21, also be enforced by criminal complaint in the district court. Except as otherwise provided by law, any person found guilty of violating any provision of this code in a criminal proceeding in the district court shall be subject to a fine within the limits otherwise prescribed by law. Each day a violation continues shall constitute a separate and repeat violation once notice of the violation has been given.

**Provincetown, MA**

Article 64. *Ban Use of Exotic Animals for Public Entertainment.* To see if the Town will vote to ban the display (including, but not limited to, animal acts and performances, animal rides and competitive animal races) of Wild or Exotic animals for public entertainment or amusement in circuses, carnivals or similar entities on property owned by the town of Provincetown, on Town owned property under lease or on private property; or take any other action relative thereto. (not codified)

**Plymouth, MA (as passed 2014)**

Wild Animals

§ 23-19. Permit required.

(a) It shall be unlawful for any person to keep, maintain or have in his or her possession or under his or her control within the town any dangerous animal or reptile or carnivorous, wild animal or other animal or reptile of wild, vicious or dangerous propensities without obtaining an annual permit therefor from the Board of Selectmen.

(b) Under no circumstance will a permit be issued for the possession of any animal as described in 23-19

(a) if the animal is part of a traveling exhibition or show living in a mobile housing facility. An animal is deemed to be part of a traveling exhibition or show if, during the 15-day period preceeding any proposed use in a traveling exhibition or show, such animal was traveling in a mobile housing facility.

§ 23-22. Exceptions.

The provisions of §§ 23-19, 23-20 and 23-21 shall not apply to any duly licensed zoo or bona fide educational or medical institution, including a veterinarian, or any other duly licensed place where such animals are kept for the purpose of instruction, treatment or study; provided, however, that:

A. The location and operation of the foregoing are in conformity with all applicable federal, state and local laws, bylaws, rules and regulations;

B. All animals and animal quarters are kept in a clean and sanitary condition; and

C. All animals are maintained in quarters so constructed and controlled as to prevent their escape.

Penalty

§ 23-27. Violations and penalties.

Any person, corporation or otherwise violating any provision of this article shall be fined not less than \$100 and not more than \$300 for each offense, with each day during which a violation occurs or continues deemed to be a separate offense. Unless otherwise provided herein, [Added 4-13-2004 ATM by Article 44] the fine for each offense under noncriminal disposition shall be \$100.